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Attorneys for Defendants
WELLS FARGO BANK, N.A. AND LIFE INSURANCE ENDORSEMENT METHOD SPLIT
DOLLAR PLAN

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LESLIE LANNA, an individual,

Plaintiff,

v.

WELLS FARGO BANK, N.A. the appropriate
named fiduciary of the LIFE INSURANCE
ENDORSEMENT METHOD SPLIT DOLLAR
PLAN,

Defendants.

Case No. CV 093432 SC

**STIPULATION ALLOWING PLAINTIFF
TO FILE FIRST AMENDED COMPLAINT**

Complaint Filed: July 27, 2009
Trial Date: None Set

1 IT IS HEREBY STIPULATED by and between Plaintiff Leslie Lanna ("Plaintiff") and
2 Defendants Wells Fargo Bank, N.A. ("Wells Fargo") and the Life Insurance Endorsement Method
3 Split Dollar Plan (the "Plan") (collectively, the "Defendants"), and their respective counsels of
4 record, that the following Stipulation may be entered to give effect to the stipulations set forth
5 below pursuant to Civil L.R. 6-1(a).

6 WHEREAS, Plaintiff filed her Complaint for Death Benefits, Attorney Fees and Interest
7 Under Employee Benefit Plan [ERISA] (the "Complaint") on July 27, 2009, and served it upon the
8 Defendants on August 5, 2009;

9 WHEREAS, on October 9, 2009, Wells Fargo and the Plan filed an Answer, with
10 Counterclaims and Cross-Claims;

11 WHEREAS, the Plaintiff has requested that Wells Fargo and the Plan stipulate to an
12 amendment of the Plaintiff's Complaint, in the form attached as Exhibit A;

13 WHEREAS, Wells Fargo and the Plan agree that the Plaintiff may file the amended
14 complaint attached as Exhibit A;

15 WHEREAS, the first deadline established by the Court's most current case management
16 order is not until the end of December 2009, such that, as required by Civil L.R. 6-1(a), this
17 stipulation will not alter the date of any event or any deadline already fixed by Court order;

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1 THEREFORE, the parties hereto stipulate that Plaintiff may file her First Amended Complaint in
2 the form attached hereto as Exhibit A.

3 IT IS SO STIPULATED ON THE DATES INDICATED BELOW.

4 DATED: December 4, 2009

NEYART, ANDERSON, FLYNN & GROSBOLL

5 By: /S/ Mark H. Lipton

6 MARK H. LIPTON

7 Attorneys for Plaintiff

LESLIE LANNA

8 DATED: December 4, 2009

9 OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

10 By: /S/Christopher M. Ahearn

11 CHRISTOPHER M. AHEARN

12 Attorneys for Defendants

13 WELLS FARGO BANK, N.A. AND LIFE
14 INSURANCE ENDORSEMENT METHOD
SPLIT DOLLAR PLAN



15 **ATTESTATION PER GENERAL ORDER NO. 45.X.B.**

16 Concurrence in the filing of this document has been obtained from each of the signatories
17 listed above. Attested to on December 4, 2009 under penalty of perjury under the laws of the
18 United States.

19 /S/Mark H. Lipton

20 Mark H. Lipton